

## Update: Child Protective Proceedings Benchbook (Revised Edition)

### CHAPTER 5

#### Notice & Time Requirements

##### 5.7 Special Notice Provisions for Incarcerated Parties

Near the middle of page 140, after the quotation of MCR 2.004(A)(1)–(2), insert the following text:

**Applicability.**

MCR 2.004(A) states that it applies to one of the specifically enumerated actions “in which a party is incarcerated under the jurisdiction of the Department of Corrections.” In *In re Davis*, \_\_\_ Mich App \_\_\_, \_\_\_ (2004), the Court indicated that “Department of Corrections” refers only to the Michigan Department of Corrections. Therefore, MCR 2.004 does not apply to parties incarcerated in another state who are not subject to the jurisdiction of the Michigan Department of Corrections.